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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,620	12/19/2000	R. Alan Neely	4156-006	5816

4678 7590 12/16/2004

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EXAMINER

HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

09/741,620

Applicant(s)

NEELY ET AL.

Examiner

Lalita M Hamilton

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-153 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-153 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/10/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-153 are rejected under 35 U.S.C. 102(e) as being anticipated by Neely (6,044,362).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Neely discloses an electronic invoicing payment system and corresponding method comprising an automated electronic invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers, a consolidated invoicer interface wherein said invoicer interface includes at least one access point to each of the invoicers, means for setting said access point of each of the invoicers for at least one customer, and means for

authentication of each of said customers, and a remote customer interface for accessing said consolidated invoicer interface (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); a payment engine, wherein customer payment instructions are sent from the customer directly to each of the invoicers, said payment engine including: invoice presentation electronics adapted to present customer billing data for customer review and to request payment instructions relating to automated billing to said customer; and a remote electronic customer authorization interface adapted to: receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics provide the customer billing data and the request for payment instructions to the customer; receive customer payment instructions from the customer in response to the request for payment instructions, transmit the customer payment instructions from the customer directly to each of the invoicers, said payment instructions including at least an invoice account number and an associated customer payment account (col.6, line 29 to col.8, line 36); payment source is a clearing house (col.6, line 29 to col.8, line 36); clearing house is a Courier (col.6, line 29 to col.8, line 36); payment instructions include transmission date (col.6, line 29 to col.8, line 36); payment instructions include amount to draft from customer associated financial institution (col.6, line 29 to col.8, line 36); payment instructions include account information associated with the customer from which to draft payment (col.6, line 29 to col.8, line 36); payment instructions include account information associated with each of the invoicers from which to deposit payment (col.6, line 29 to col.8, line 36); billing data includes invoicer billing information (col.6, line 29 to

Art Unit: 3624

col.8, line 36); billing information includes a due date (col.6, line 29 to col.8, line 36); billing information includes an amount due (col.6, line 29 to col.8, line 36); billing information includes a list of goods or services provided during a billing period (col.6, line 29 to col.8, line 36); billing information includes a late charge (col.6, line 29 to col.8, line 36); billing information includes account information (col.6, line 29 to col.8, line 36); billing data includes customer information (col.6, line 29 to col.8, line 36); customer information includes customer name (col.6, line 29 to col.8, line 36); customer information includes customer address (col.6, line 29 to col.8, line 36); customer information includes account information for the customer (col.6, line 29 to col.8, line 36); billing data includes a customer account identifier (col.6, line 29 to col.8, line 36); billing data includes an invoice identifier (col.6, line 29 to col.8, line 36); invoice presentment electronics further includes invoice information relating to customer bills and account information relating to financial institutions associated with the customer from which payments may be drafted (col.6, line 29 to col.8, line 36); invoice presentment electronics further includes preauthorized payment instructions for automated payment of a billing amount set out in said billing information from an account set out in said account information (col.6, line 29 to col.8, line 36); the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions are desired for the billing data presented (col.6, line 29 to col.8, line 36); the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions need modification for the billing data presented (col.6, line 29 to col.8, line 36); customer

Art Unit: 3624

authorization interface includes an editor for modifying the preauthorized payment instructions (col.6, line 29 to col.8, line 36); the account information includes account information from a plurality of financial institutions and the request for payment instructions query the customer to select the financial institution from which to draft payment for an associated customer bill (col.6, line 29 to col.8, line 36); invoice presentment electronics includes a preauthorized default identifying the financial institution from which to draft payment for said associated customer bill (col.6, line 29 to col.8, line 36); electronic customer authorization interface is adapted to receive a customer input to accept the preauthorized default (col.6, line 29 to col.8, line 36); electronic customer authorization interface is adapted to receive a customer input to modify the preauthorized default (col.6, line 29 to col.8, line 36); request for payment instructions include billing information selected from the group consisting of amount due, time of payment, account from which to draft payment (col.6, line 29 to col.8, line 36); customer authorization interface is adapted to modify the billing information to change one or more of the group consisting of amount due, time of payment and account from which to draft payment (col.6, line 29 to col.8, line 36); billing data include notices for the customer (col.6, line 29 to col.8, line 36); billing data include advertising information directed towards the customer (col.10, lines 25-30); billing data include control information (col.6, line 29 to col.8, line 36); payment instructions include a date to draft payment (col.6, line 29 to col.8, line 36); payment instructions include an amount of invoice (col.6, line 29 to col.8, line 36); each of the invoicers provide a customer accessible site for receiving said billing data and said request for payment instructions,

Art Unit: 3624

said site accessible from said electronic customer authorization interface (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); customer accessible site is an Internet site and said electronic customer authorization interface includes a browser for accessing said customer accessible site (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is an automated teller machine (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is a remote kiosk (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is a personal computer (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is an interactive television (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is a telephone (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); electronic customer authorization interface is a computer, said billing data and said request for payment instructions are presented by e-mail to the customer and the customer payment instructions are provided by a customer e-mail (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); electronic customer authorization interface includes a display for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions (col.6, line 29 to col.8, line 36); electronic customer authorization interface includes audio electronics and a speaker for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions (col.6, lines 18-25); electronic customer authorization interface is adapted to allow a customer to poll said invoice

presentment electronics to receive said billing data and said request for payment instructions (col.6, lines 25-31); remote customer interface includes an access program and a server connection (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); access program is an Internet server (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); server connection is an Internet server connection (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); Internet server connection is an Internet dial-up connection (col.4, lines 19-31; col.5, lines 60-67; and col.6, lines 1-5); a consolidated invoicer interface for an automated electronic invoicing and payment system for providing remote customer review of customer account information from at least two invoicers, at least one access point to each of the invoicers, means for setting said access point of each of the invoicers for at least one customer, means for authentication of each of said customers, and means for automatically requesting account information for said customers directly from each of the invoicers (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); at least one access point to one of the invoicers is the invoicer's URL (col.1, line 60 to col.2, line 33; col.4, lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); at least one access point to one of the invoicers further includes a plurality of access points to each invoicer (col.1, line 60 to col.2, line 33; col.4, lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); each of said access points of each of said invoicer's are a URL at a portal site (col.1, line 60 to col.2, line 33; col.4, lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); means for setting an access point of each of the invoicers includes a transfer of invoicer's URL from invoicer's Web site (col.1, line 60 to col.2, line 33; col.4,

Art Unit: 3624

lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); the means for setting an access point of each of the invoicers further includes a collection of access points for providing a directory of accessible portals and invoicers (col.1, line 60 to col.2, line 33; col.4, lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); collection of access points includes at least one of an invoicer's URLs, portal URLs and payment engine URLs (col.1, line 60 to col.2, line 33; col.4, lines 19-31; col.5, lines 24-67; col.6, lines 1-5; and col.7, lines 15-18); means for setting the access point of each of the invoicers further includes means for setting up payment of the customer (col.6, line 29 to col.8, line 36); means for setting up the payment of the customer is at the portal (col.6, line 29 to col.8, line 36); means for setting up the payment of the customer is a data entry point at the invoicer (col.6, line 29 to col.8, line 36); means for setting up the payment of the customer is at the invoicer's payment engine (col.6, line 29 to col.8, line 36); means for authentication is stored on a portal (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); means for authentication stored on portal is a name/password pair (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); means for authentication stored on portal further includes invoicer authentication (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); invoicer authentication is a name/password pair (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); means for authentication is invoicer authentication (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); invoicer authentication is stored on invoicer's site (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); invoicer authentication stored on invoicer's site is a name/password pair (col.1,

Art Unit: 3624

line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); means for automatically requesting customer account information is a URL request to invoicer's Web site (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.7, lines 15-18); customer account information includes invoicer content (col.6, line 29 to col.8, line 36); content includes at least one of the following: current bill summary, billing/payment history summary, invoicer notice/messages summary notes or detail (col.6, line 29 to col.8, line 36); customer account information includes purchase orders (col.6, line 29 to col.8, line 36); customer account information includes shipping documents (col.6, line 29 to col.8, line 36); data format of said customer account information is at least one of the following: XML, EDI, graphic, text and IFX/OFX (col.6, line 29 to col.8, line 36); an automated electronic invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers, a consolidated invoicer interface wherein said invoicer interface includes: at least one access point to each of the invoicers, means for setting said access point of each of the invoicers for at least one customer, means for authentication of each of said customers, means for automatically requesting account information for said customers directly from each of the invoicers, a remote customer interface for accessing said consolidated invoicer interface, and a payment engine wherein the customer payment instructions are sent from the customer directly to each of the invoicers, said payment engine including: invoice presentation electronics adapted to present customer billing data for customer review and to request payment instructions relating to automated billing to said customer, and a remote electronic customer authorization interface adapted to:

receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics, provide the customer billing data and the request for payment instructions to the customer, receive customer payment instructions from the customer in response to the request for payment instructions, and transmit the customer payment instructions from the customer directly to each of the invoicers, said payment instructions including at least an invoice account number and an associated customer payment account (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.6, line 29 to col.8, line 36); a method for automated electronic invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers, providing a consolidated invoicer interface wherein said invoicer interface includes: at least one access point to each of the invoicers, means for setting said access point of each of the invoicers for at least one customer, and means for authentication of each of said customers, and accessing said consolidated invoicer interface through a remote customer interface (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.6, line 29 to col.8, line 36); a method for invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers using a consolidated invoicer interface, providing at least one access point to each of the invoicers, setting said access point of each of the invoicers for at least one customer, authenticating each of said customers, and automatically requesting account information for said customers directly from each of the invoicers (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.6, line 29 to col.8, line 36); and a method for automated electronic invoicing and

Art Unit: 3624

payment consolidation system for providing remote customer review of customer account information from at least two invoicers, providing a consolidated invoicer interface wherein said invoicer interface includes at least one access point to each the invoicers, means for setting said access point of each of the invoicers for at least one customer, means for authentication of each of said customers, and means for automatically requesting account information for said customers directly from each of the invoicers, accessing said consolidated invoicer interface a remote customer interface, and sending the customer payment instructions from the customer directly to each of the invoicers, said payment engine including invoice presentation electronics adapted to present customer billing data for customer review and to request payment instructions relating to automated billing to said customer, and a remote electronic customer authorization interface adapted to: receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics, provide the customer billing data and the request for payment instructions to the customer; receive customer payment instructions from the customer in response to the request for payment instructions, and transmit the customer payment instructions from the customer directly to each of the invoicers, said payment instructions including at least an invoice account number and an associated customer payment account (col.1, line 60 to col.2, line 33; col.5, lines 24-67; and col.6, line 29 to col.8, line 36).

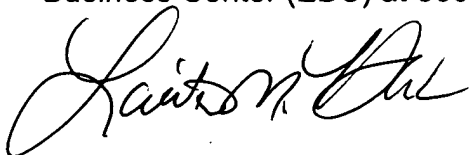
Conclusion

Art Unit: 3624

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lalita M. Hamilton', is written in a cursive style.

LMH